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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/970,587	10/04/2001	John Pitts	60,469-053; OT-4987	1199

7590 09/22/2004

Theodore W. Olds  
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Suite 350  
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Birmingham, MI 48009

EXAMINER

CHARLES, MARCUS

ART UNIT PAPER NUMBER

3682

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20040918

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Commissioner for Patents

Acknowledgement of Reply Brief

The reply brief filed 06-10-2004 has been entered and considered but no further response by the examiner is deemed necessary. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Marcus Charles  
Primary Examiner  
Art Unit: 3682

September 18, 2004



AF/3682

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Pitts  
Serial Number: 09/970,587  
Filed: 10/04/2001  
Group Art Unit: 3682  
Examiner: Charles, Marcus  
Title: ELEVATOR BELT ASSEMBLY WITH NOISE  
REDUCING GROOVE ARRANGEMENT  
Attorney Docket Number: 60,469-053; OT-4987

**REPLY BRIEF**

Box AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

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JUN 15 2004  
GROUP 3600

Dear Sir:

This is responsive to the Examiner's Answer dated May 4, 2004..

There is no *prima facie* case of obviousness. The Examiner still has not explained how one skilled in the art would be lead to make the proposed combination of the *Kokai* and *Miranti* references. Absent Applicant's own disclosure, the skilled artisan would not be led to believe that the *Miranti* arrangement of grooves that addresses noise generation as side surfaces on a V-shaped belt exit a V-shaped pulley would have any applicability or use in the *Kokai* arrangement where there is no contact between side surfaces of the belt and side surfaces of a pulley and wherein separation between the *Kokai* belt and pulley is not considered a source of possible noise. Because the added teachings of *Miranti* do not provide any benefit in *Kokai* arrangement (i.e., there is no separation-generated noise in the *Kokai* reference, which is what is addressed by the *Miranti* reference), there is no motivation for making the combination.